

To: Clancy, Maeve[Clancy.Maeve@epa.gov]
From: Chen, Eugene
Sent: Fri 2/5/2016 5:42:29 PM
Subject: RE: Information Needed for Elizabeth's AZ Visit [Due 2/4]

Maeve,

Apologies for the lag. A summary of the Hickman Egg Farm issue is included below. I'm not sure how much detail you need for the brief, but feel free to condense as necessary:

Hickman Egg Farm has two facilities located in western Maricopa County (Arlington and Tonopah), and consists of a chicken farm as well as an egg manufacturing operation. The facilities are considered a minor source for NSR and title V permitting, and at least one has a non-title V operating permit from Maricopa County Air Quality Department. A combination of local and regional environmental groups have filed a complaint alleging, among other issues, that the facility in Tonopah should be title V major. From a permitting standpoint, the issue is that the PTE of industrial equipment at the facility, such as emergency generators, storage tanks, dryers, etc, are well below major source thresholds. The complainant's assertions that the facility is a title V major source rely on the inclusion of VOC emissions from agricultural activities that are exempt from Clean Air Act permitting.

Ex. 5 & 7e

Particulate Matter

Maricopa County regulates particulate matter primarily through County Rules 310 (Fugitive Dust) and 311 (PM from Process Industries). Per Arizona Revised Statute 49-457, regulated agricultural activities must instead comply the agricultural BMPs issued by the agricultural committee. Per ARS 49-457(O), "[...]this section preempts further regulation of regulated agricultural activities by a county, city, town or other political subdivision of this state." We have raised this issue with ADEQ and Maricopa, and have asked them to provide a legal justification for this exemption from CAA permitting.

VOC

On January 31, 2005, EPA apparently entered into/offered a Consent Agreement and Final Order with animal feeding operations. In summary, an animal feeding operation (AFO) that signs the agreement, in exchange for paying a civil penalty and making their facilities available for monitoring, will not be pursued over violations related to emissions from agricultural livestock and their waste (there are other conditions). At the same time, EPA will be developing an emission estimation methodologies (EEM) guidance document, as well as emission thresholds. Once the EEMS become available, facilities will need to apply for and comply with permits.

The current state of the EEMs is unclear to me, but my understanding is that EEMs for certain operations are available in draft form, but none have been finalized yet. While that does not preclude state or local districts from requiring permits, it should come as no surprise that most have not.

Ex. 5 & 7e

Thanks,

Eugene

From: Clancy, Maeve

Sent: Wednesday, February 03, 2016 4:24 PM

To: Rios, Gerardo <Rios.Gerardo@epa.gov>; Aquitania, Manny <Aquitania.Manny@epa.gov>; Chen, Eugene <Chen.Eugene@epa.gov>

Cc: McKaughan, Colleen <McKaughan.Colleen@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>

Subject: RE: Information Needed for Elizabeth's AZ Visit [Due 2/4]

Hi Gerardo, Manny, and Eugene,

I just wanted to send you a reminder that the information below for Elizabeth's AZ trip is due to me by tomorrow. I got a great summary of the NSR status statewide from Laura earlier this week and I've attached it here if you're wondering about how much detail to include. Let me know if you have questions. Thanks!

Maeve Clancy

EPA Region 9

Air Planning Office

415-947-4105, clancy.maeve@epa.gov

From: Clancy, Maeve

Sent: Thursday, January 28, 2016 1:24 PM

To: Rios, Gerardo <Rios.Gerardo@epa.gov>; Aquitania, Manny <Aquitania.Manny@epa.gov>; BECKHAM, LISA <BECKHAM.LISA@EPA.GOV>; Yannayon, Laura <Yannayon.Laura@epa.gov>; Chen, Eugene <Chen.Eugene@epa.gov>; Harvey, Lornette <Harvey.Lornette@epa.gov>

Cc: McKaughan, Colleen <McKaughan.Colleen@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>

Subject: Information Needed for Elizabeth's AZ Visit [Due 2/4]

Hi Everyone,

Thanks for meeting to discuss AZ permitting issues yesterday. The action items are below. It would be wonderful if you could get write-ups to me by next Thursday, February 4th, or sooner. Let me know if you have any questions.

-Arizona NSR updates (summary of approval/disapproval, what we still need to fully approve their program)—**Lisa and Laura**

-Options for obtaining VOC and NOx offsets for sources in Maricopa County and the rest of the state (encouraging sources to shop for offsets, how to set up an offset exchange)—**Gerardo and Manny**

-Title V public noticing issue—**Gerardo**

-Hickman egg farm in Tohopah permitting/enforcement issues—**Eugene**

Thanks!

Maeve Clancy

EPA Region 9

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